

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 189

SENATE BILL 1216

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-107; RELATING TO SCHOOL PUPILS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-107, to read:

4 15-107. Biometric information; prohibition; definition

5 A. A SCHOOL IN A SCHOOL DISTRICT OR A CHARTER SCHOOL SHALL NOT COLLECT
6 BIOMETRIC INFORMATION FROM A PUPIL UNLESS THE PUPIL'S PARENT OR GUARDIAN
7 GIVES WRITTEN PERMISSION TO COLLECT BIOMETRIC INFORMATION FROM THE PUPIL.

8 B. AT LEAST THIRTY DAYS BEFORE A SCHOOL IN A SCHOOL DISTRICT OR
9 CHARTER SCHOOL WILL COLLECT BIOMETRIC INFORMATION, THE SCHOOL SHALL PROVIDE
10 WRITTEN NOTICE TO THE PARENTS AND GUARDIANS OF PUPILS OF THE INTENT TO
11 COLLECT BIOMETRIC INFORMATION. THE NOTICE SHALL INCLUDE A STATEMENT IN
12 EIGHTEEN POINT BOLD-FACED CAPITAL LETTERS THAT THE PARENT OR GUARDIAN MUST
13 GIVE WRITTEN PERMISSION TO COLLECT BIOMETRIC INFORMATION FROM THE PUPIL
14 BEFORE THE SCHOOL MAY COLLECT BIOMETRIC INFORMATION.

15 C. FOR THE PURPOSES OF THIS SECTION, "COLLECT BIOMETRIC INFORMATION"
16 MEANS THE NONINVASIVE ELECTRONIC MEASUREMENT AND EVALUATION OF ANY PHYSICAL
17 CHARACTERISTICS THAT ARE ATTRIBUTABLE TO A SINGLE PERSON, INCLUDING
18 FINGERPRINT CHARACTERISTICS, EYE CHARACTERISTICS, HAND CHARACTERISTICS, VOCAL
19 CHARACTERISTICS, FACIAL CHARACTERISTICS AND ANY OTHER PHYSICAL
20 CHARACTERISTICS USED FOR THE PURPOSE OF ELECTRONICALLY IDENTIFYING THAT
21 PERSON WITH A HIGH DEGREE OF CERTAINTY.

APPROVED BY THE GOVERNOR MAY 12, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2008.